

Domestic Relations Committee
Judicial Conference of Indiana

Minutes
October 20, 2006

The Domestic Relations Committee met at the Indiana Judicial Center in Indianapolis, Indiana on Friday, October 20, 2006 from 10:30 a.m. - 3:30 p.m.

1. Members present. Craig J. Bobay, David C. Chapleau, Mary Margaret Lloyd, Roderick D. McGillivray, Robyn L. Moberly, Nanette K. Raduenz, and Michael P. Scopelitis, Chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Minutes approved. The minutes of the August 17-18, 2006 meeting were approved.
4. Domestic Relations Benchbook draft.
 - a. Committee members reviewed the Domestic Relations Benchbook draft of the revised property division section distributed via email earlier in the week.
 - b. Members of the committee agreed to review the property division section in advance. Committee members would bring comments or concerns about various portions of the section and only those portions would be reviewed at the November meeting. The committee will review the following Benchbook sections also at the next meeting. In addition, committee members agreed to finish the Benchbook at the January 2007 meeting.
 - c. Mr. Bercovitz agreed to distribute the revised sections submitted by Magistrate Raduenz, the new section submitted by Judge Fee and the forms drafted by Magistrate Bobay to committee members.
 - d. Committee members agreed the Domestic Relations Benchbook should be distributed via CD Rom with printed copies available upon request.
5. Recent legislation.
 - a. Judge James Payne, Director, Department of Child Services, and Wendy V. Yerkes, Director, Department of Child Services, discussed proposed legislation on immediate income withholding in a new child support case, notice of income withholding, administrative subpoena's for child support enforcement, a \$25.00 annual fee for non-TANF child support cases, and review of child support orders every three (3) years, and requirement of including a medical support order within any child support order.
 - b. Judge Robyn Moberly reported the Child Custody and Support Advisory Committee met and discussed legislation, which might permit easier criminal prosecution of a noncustodial parent who lives out of state and does not return a child at the end of that persons parenting time. Mr. Bercovitz distributed minutes from the committee.
6. Other. Mr. Bercovitz distributed a parenting time comment from Mr. Joe Dunagan for the review of the committee.
7. Next meeting dates. The committee agreed to meet again on a two-day work-study session to be held Thursday, November 16 from 10:30 a.m. - 5:00 p.m. and Friday, November 17, 2006 from 9:00 a.m. to 4:00 p.m. in Indianapolis. The Center would pay mileage but no overnights for

the two-day work-study session. The committee agreed to meet again on Friday, January 19, 2007 from 10:30 a.m. - 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law